

## **Rule 7.13. Reports to the Commission**

### **A. Outages**

LECs shall promptly report outages in an individual city, town, or in the same general area, which last more than 4 hours and affect 100 or more customers by telephone to the Commission's Consumer Services Office. After normal business hours and on weekends and holidays, LECs may report outages by leaving a message on the Commission's Consumer Services Office recorder.

### **B. Changes in Service**

Each LEC shall notify the Commission's Consumer Services Office in writing at least 30 days before making any major changes in its method of operation. For example, the closing of a business office, the moving of a billing department out of state, and a telephone cut-over affecting a majority of the customers in any exchange would be considered major changes for the purposes of this Rule.

### **C. Customer Complaints**

Upon request, each LEC shall make available in writing to the Commission the number of customer complaints as required by Rule 7.04.B. for the requested time period.

### **D. Reference Information**

Each LEC shall provide, the Commission's Consumer Services Office with current copies of the following information:

- (1) Information on LEC Service (Rule 2.01);
- (2) Current list of LEC personnel who answer Commission questions about complaints (Rule 2.07. A.(3));
- (3) Service Application Form (Rule 3.02.);
- (4) Bill Form (Rule 5.02.);
- (5) Shut-Off Notice Form (Rule 6.05.); and,
- (6) Delayed Payment Agreement Form (Rule 6.13.).

New copies of the information shall be provided, to the Commission's Consumer Services Office whenever the information is revised.

## II. LOCAL SERVICE

### SECTION 8. GENERAL SERVICE STANDARDS

#### Rule 8.01. Extensions, Additions, Repairs, Changes and Improvements

After a public hearing, the Commission may require a LEC to make extensions, additions, repairs, or changes in or improvements to any equipment or line if the Commission finds that they should reasonably be made to promote the security or convenience of the public or to secure adequate service or facilities.

#### Rule 8.02. Service Interruptions

##### A. Scheduled Interruptions

###### (1) Scheduling

Except in an emergency, LECs shall schedule interruptions so that the inconvenience to customers is minimized.

###### (2) Notice

LECs shall make reasonable efforts to notify customers affected by a scheduled interruption as far ahead as practical and give them the date, time, and planned length of the interruption.

##### B. Unforeseen Interruptions

LECs shall make reasonable efforts to notify customers affected by an unforeseen interruption as soon as practical and explain the cause and how long it will last.

##### C. Restoration Priority

LECs shall make every reasonable effort to first restore service which affects public health and safety.

**Rule 8.03. Emergency Repair Service and Telephone Number**

- A. Each LEC shall perform emergency repair service. The LEC shall take into account both the needs of the customer and the safety of personnel.
- B. Each LEC shall list in each directory covering any area it serves an emergency repair service number where a customer may call toll-free. (Collect calls accepted by the LEC are considered to be toll-free calls.) The emergency number shall be manned 24 hours a day or shall have a recording or answering service directing the caller to a number manned 24 hours a day.

**Rule 8.04. Emergency Response to Outages**

**A. Restoration Priority**

LECs shall first attempt to restore service which affects public health and safety.

**B. Restoration Procedures**

Each LEC shall have written procedures for designated employees to follow during major service outages. The procedures shall contain at least the following:

- (1) Notification procedures for emergency response personnel;
- (2) General location(s) of equipment, tools, and materials normally needed to restore service;
- (3) Procedures for notifying fire, police, medical and other public officials; and,
- (4) General procedures to determine whether the system is safe.

## **II. LOCAL SERVICE**

### **SECTION 9. OPERATIONS**

#### **Rule 9.01. Service Connections**

##### **A. Acceptance of Applications**

When an eligible telecommunications carrier receives an application for service within its service territory, the eligible telecommunications carrier shall neither refuse to accept the application for service nor request the applicant to withdraw the application.

##### **B. Service Connection Requirements**

All extensions of service shall be made in accordance with the LEC's extension of facilities tariffs. An applicant for service must meet all requirements of these Rules in order to qualify to receive service.

###### **(1) Where Facilities are Available**

###### **a. Service Connection Deadlines**

All reasonable efforts shall be made to serve qualified applicants within 5 business days after receipt of an application, unless a later date is requested by the applicant.

###### **b. Quality of Service Evaluations**

For purposes of evaluating the quality of service, 95% or more of all qualified applications monthly for each exchange must be served within the time frame specified above except exchanges of 2000 lines or less will be evaluated on an average of three consecutive monthly results.

###### **c. Expected Service Dates**

Each LEC shall notify the applicant of the expected service date. If a LEC will not be able to connect service on the expected service date, it shall promptly notify the applicant of the new expected service connection date.

**(2) Where Facilities are Not Available**

**a. Initial Information**

Within 5 business days after receipt of a qualified application for service, a LEC shall:

- (i) inform or mail notice to the applicant that facilities are not readily available; and,
- (ii) inform the applicant that within 10 business days the LEC will provide the applicant an expected service date.

**b. Written Proposal**

Within 30 business days of the receipt of a qualified application, the LEC shall provide a written proposal to the applicant which shall provide:

- (i) an explanation of any conditions and circumstances the applicant must meet before service will be provided;
- (ii) if there will be a cost to the applicant, an estimate of his costs.

**EXCEPTION:**

When an engineering study is required, the LEC shall provide a written proposal to the applicant for service within 60 business days of the receipt of the application.

**c. Changing the Expected Service Date**

If the LEC will not be able to connect service on the expected service date, it shall promptly notify the applicant of the new expected service connection date.

**d. Connection Deadlines**

- (i) All reasonable efforts shall be made to serve qualified applications received for service within 30 days unless a later date is requested by the applicant.

- (ii) If an applicant requests service outside the base rate area and the LEC requires the applicant to pay excess construction costs under tariff, the LEC shall complete the construction and provide service to the applicant within 90 days of the applicant's acceptance of the written proposal unless a later date is requested by the applicant.
- (iii) For purposes of evaluating the quality of service, 95% or more of all qualified applications monthly for each exchange must be served within the time frames specified above except exchanges of 2000 lines or less will be evaluated on an average of three consecutive monthly results.

#### **Rule 9.02. Extension of Facilities**

Each LEC shall make reasonable extensions of its facilities within its certificated area. Also see Rule 3.03.

##### **A. Base Rate or Supplemental Rate Areas**

Each LEC shall extend facilities within base rate and supplemental rate areas at no cost to the applicant unless the applicant requests non-standard plant construction.

##### **B. Outside Base Rate or Supplemental Rate Areas**

###### **(1) Local Exchange Carrier Contribution to Construction Costs**

- a. Each LEC shall construct standard outside plant facilities at no cost to the applicant when the LEC's construction cost for the circuit is less than or equal to 60 months of basic local exchange revenue. This Rule does not preclude a LEC from developing a uniformly applied plan that is more favorable to applicants for telephone service.
- b. The LEC's contribution may be calculated and described in feet or fractions of a mile as long as the result is at least as favorable to the applicant as that calculated in Subdivision B.(1)a. above.

- c. The maximum line extension to be constructed by the LEC at no cost to the applicant must be filed as a tariff according to the Commission's Rules of Practice and Procedure.

**(2) Applicant Contribution to Construction Costs**

- a. Each LEC may require applicants to contribute to construction costs that exceed the maximum amount required of the LEC as described in the LEC's extension of facilities tariff.
- b. No portion of the cost for constructing circuits needed to reinforce or parallel a LEC's existing facilities may be included in calculating an applicant's contribution toward excess construction cost.
- c. When a customer pays for an extension of facilities and later moves from that service location, the LEC shall attempt to leave those facilities in place for use by other customers. If the LEC removes the facilities, an applicant requesting the same extension of facilities at the premises shall obtain the extension cost-free.
- d. Each LEC shall file its extension of facilities policy as a tariff according to the Commission's Rules of Practice and Procedure.

**Rule 9.03. Business and Residential Service**

- A. Business and residential rates are governed by the actual and obvious use of the service. In general, business rates apply to any place where substantial use of the service is business-related rather than domestic. For example, business rates are applicable at the following local exchange locations:
  - (1) Offices, stores, factories, and all other places of a strictly business nature;
  - (2) Rental/maintenance offices and shared/public areas of boarding/rooming houses and apartment buildings, lobbies and halls of hotels, private and public institutions, business offices, colleges, clubs, lodges, schools, libraries, churches, and hospitals;

- (3) At a residence where telephone use is more of a business than residential nature as indicated by advertising through newspapers, signs, circulars, business cards, etc.

**B. Service to Amateur Radio Tower Locations**

Service provided to amateur radio clubs at their tower locations for clubs' autopatches shall be charged residential rates.

**Rule 9.04. Intercept Service**

**A. Vacant and Changed Numbers**

- (1) Each LEC shall intercept calls to vacant and changed numbers until the numbers are assigned, reassigned, or are no longer listed in the directory.
- (2) When a customer's telephone number is changed at the request of the LEC, the LEC shall intercept all calls to the customer's former number until a new directory is distributed.

**B. Incorrect Directory Listings**

Each LEC shall intercept all calls to a number listed incorrectly in the telephone directory until a new directory is distributed or a correction sheet is mailed to each customer. In the event of a directory listing error, the corrected information shall be maintained in the files of the information operator and the correct telephone number furnished when the listing is requested.

**Rule 9.05. Minimum Grade of Service**

The minimum grade of service will be single party service with no mileage or zone charges.

**Rule 9.06. Telephone Directories**

**A. Directory Publishing Requirements**

- (1) Each LEC shall arrange to revise and publish a new telephone directory at least once each year for each directory service area.



- (2) Each directory shall include the following information:
- a. each listed customer's name, address, and telephone number;
  - b. the name of the LEC arranging the publishing of the directory, the exchanges included, and the date issued (this information shall be printed on the front cover of each directory);
  - c. instructions and rules governing local and toll service, repair procedures, and methods of payment;
  - d. telephone numbers for emergency calls, such as police and fire departments (this information shall be printed conspicuously on the front cover or first inside page of the directory); and,
  - e. telephone numbers that customers may call during business hours concerning bills or services, or to report emergencies. If a business office serves more than one community, toll-free calling to that office shall be provided. (Collect calls accepted by the LEC are considered to be toll-free calls.)

**B. Delivery Requirements**

**(1) To the Customer**

Upon publication, each LEC shall furnish a copy of the revised directory to each customer within the corresponding directory service area at no charge. The LEC shall provide a directory to each customer for each of his telephone numbers.

**(2) To the Commission**

Upon publication, each LEC shall provide a copy of each revised directory to the Consumer Services Office of the Commission.

**C. Directory Listing Changes**

Each LEC shall notify its customers in writing of telephone directory closing dates and opportunities and procedures for making changes at least 60 days before the closing date.

**Rule 9.07. Local Telephone Numbers**

**A. Assignment**

Local telephone numbers shall be assigned at the discretion of the LEC.

**B. Changes and Customer Notification**

Each LEC may make reasonable changes in local telephone numbers after giving the affected customers 60 days notice of changes.

**Rule 9.08. Base Rate Area Boundaries**

Each ILEC shall continuously evaluate suburban growth and telephone service needs to ensure that base rate area boundaries include all well-populated contiguous territory whether located inside or outside of an incorporated city or town.

**Rule 9.09. Switched Services**

Each LEC shall provide all local, interoffice, tandem, toll, etc. switched services utilizing digital switching.

## **II. LOCAL SERVICE**

### **SECTION 10. MAINTENANCE**

#### **Rule 10.01. Restoration of Service**

##### **A. Restoration Requirements**

###### **(1) General Requirements**

If a customer experiences a service outage that does not result in an emergency, the LEC shall make every reasonable effort to restore service not later than 24 hours after an outage is reported. If service cannot be restored within 24 hours, the LEC shall make reasonable efforts to notify the affected customers and give a time when service should be restored.

###### **(2) Emergency Requirements**

When the LEC becomes aware of an outage that results in an emergency, the LEC shall begin immediate restoration of service and shall continue restoration until service is restored.

##### **B. Evaluation Standards**

- (1) Ninety-five percent of all service outages shall be restored within 24 hours after being reported, excluding Sundays and New Year's Day, Independence Day, Thanksgiving Day, and Christmas Day, when those holidays are not on Monday or Saturday.
- (2) One hundred percent of all service outages shall be restored within 5 days after being reported except as described in Subdivision B.(3) of this Rule.
- (3) Outages which are not logically chargeable to the operation of the LEC, such as the results of major storms and other major events beyond the control of the LEC, may be excluded from the evaluation calculations.
- (4) Outages shall be evaluated separately for each exchange.
- (5) Evaluation calculations shall be based upon outages occurring during a one-month period.

## **Rule 10.02. Inspection and Repair of Plant Facilities**

### **A. Inspection**

Each LEC shall adopt a program of inspection and maintenance of its facilities in order to determine the necessity for replacement and repair. The frequency of the various inspections shall be based on the LEC's experience and accepted good practice. Each LEC shall be able to provide evidence of compliance with its inspection program.

### **B. Remedying Defects**

- (1) Telecommunications facilities with defects which would endanger life or property shall be immediately repaired, replaced, disconnected, or isolated.
- (2) Deficiencies found during an inspection which do not require immediate correction shall be scheduled for maintenance. A periodic report of corrective activity shall be kept with or refer to the appropriate inspection report.

### **C. Permanently Abandoned Facilities**

When telecommunications facilities are permanently abandoned, the LEC shall remove them or maintain them in a safe condition.

## **Rule 10.03. Central Office Maintenance Program**

In order to provide adequate and continuous service, each LEC shall adopt and pursue an effective central office switching equipment maintenance program. Each LEC shall be able to provide evidence of compliance with its central office maintenance program.

## **Rule 10.04. Tree Trimming**

- A. While trimming trees as part of the LEC's maintenance program, the LEC shall consider the health of plant life involved, the goodwill of property owners, and the safety of personnel to the extent practical.
- B. Trees which may interfere with communications facilities shall be trimmed or removed. Factors to be considered in determining the extent of tree trimming required include:

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- (1) Normal tree growth;
  - (2) The combined movement of trees and conductors under adverse weather conditions;
  - (3) Capacity and toll usage;
  - (4) Sagging of conductors at elevated temperatures; and,
  - (5) Economic trimming cycles.
- C. Where the LEC determines trimming or removal is not practical, the conductor shall be separated from the tree with suitable materials or devices to avoid conductor damage by abrasion and grounding of the circuit through the tree.

**Rule 10.05. Local Exchange Carrier Testing Responsibility**

When a LEC receives a trouble report from its retail customer, the LEC shall test the local loop up to the point of demarcation.

**A. Simple Wire Customer**

- (1) If the problem is on the LEC's side of the demarcation point, the LEC shall correct the problem at no cost to the customer.
- (2) If the problem is on the customer's side of the point of demarcation, the LEC will notify the customer that the problem is not in the LEC's wiring or equipment. There shall be no charge to the customer for determining and informing the customer that the problem is not in the LEC's facilities up to the demarcation point.
  - a. If the customer is a subscriber to a customer premises wiring maintenance agreement with the LEC, the customer may be entitled to further trouble isolation and/or repair provisions as specified in the maintenance agreement. The LEC shall inform the customer about what is covered within the maintenance agreement.
  - b. If the customer is not a party to a customer premises wiring maintenance agreement with the LEC, the LEC must inform the customer that the customer may:
    - (i) request the LEC to estimate the cost for diagnosis and repair of the problem;

- (ii) request the LEC to diagnose and repair the problem; or,
- (iii) assume full responsibility for having the problem diagnosed and repaired.

**B. Complex Wire Customer**

- (1) If the problem is on the LEC's side of the demarcation point, the LEC shall correct the problem at no cost to the customer.
- (2) If the problem is on the customer's side of the point of demarcation, the LEC will notify the customer that the problem is not in the LEC's wiring or equipment. In the absence of a tariff, there shall be no charge to the customer for determining and informing the customer that the problem is not in the LEC's facilities up to the demarcation point.

**Rule 10.06. Trouble Report Evaluations**

- A. Each LEC shall maintain service quality so that no more than 5 trouble reports are received per 100 retail customer lines in any exchange each month. Exchanges of 2000 lines or less will be evaluated on an average of three consecutive monthly results.
- B. Reports may be excluded from the trouble report evaluation which are:
  - (1) Related to customer premises equipment or wiring; or,
  - (2) Problems which are not logically chargeable to the operation of the LEC, such as the results of major storms and other major events beyond the control of the LEC.

**Rule 10.07. Electrical Power Influence**

Each LEC shall minimize interference to communications circuits from inductive power influence by taking such steps as:

- (1) Assuring that all grounding connections are proper and that cable shields are continuous;
- (2) Maintaining proper electromagnetic balance of communications circuits;

- (3) Coordinating with the electrical power utility to identify and cooperatively develop a solution to noise problems; and,
- (4) Taking any other appropriate measures.

**Rule 10.08. System and Equipment Protection**

- A. Each LEC shall properly install and maintain protectors at subscriber premises.
- B. The minimum standards for protection devices, installations, and grounding shall be in accordance with National Electrical Safety Code, Section 9, part 99 and National Electrical Code, Article 800, Communication Circuits, especially Rules 800-30 for protective devices and 800-40 for grounding methods.

## II. LOCAL SERVICE

### SECTION 11. QUALITY STANDARDS

#### Rule 11.01. Adequate Facilities

Each LEC shall ensure that adequate facilities are available to meet the requirements in these Rules.

#### Rule 11.02. Repair Service Answering Time

- A. The answer time for calls directed to a repair service number should be 20 seconds or less.
- B. For purposes of evaluating the quality of service, the average answer time for 100% of the calls shall be 20 seconds or less.

#### Rule 11.03. Local Exchange Traffic Capability

Local central office equipment shall meet the following minimum requirements during an average busy hour of the busy season:

##### A. Dial Tone Delay

- (1) A calling party should receive dial tone within 3 seconds.
- (2) For the purpose of evaluating the quality of service, the average dial tone delay shall be 3 seconds or less.

##### B. Switching Equipment Status

- (1) A calling party originating traffic that terminates within a central office shall encounter a ring back tone, a busy signal, or an intercept recording.
- (2) A calling party originating traffic which is blocked due to insufficient intra-office trunking shall receive a signal indicating an "equipment busy" condition.



#### **Rule 11.04. Inter-office Traffic Capability**

Trunk circuit groups shall have sufficient capacity to allow the following percentages of call completions without encountering an all-trunks-busy signal during the average busy hour of the busy season:

- (1) Toll connecting calls: 97%;
- (2) Inter-office local calls: 95%; and,
- (3) Extended Area Service calls completion: 94%.

#### **Rule 11.05. Local Exchange Central Office Call Completion**

Central office switching equipment shall be engineered and maintained to complete at least 98% of all intra-office test calls originated with standard industry switching service analyzers.

#### **Rule 11.06. Emergency Power Operation**

Each LEC shall provide emergency power for each central office.

- A. Each central office without a permanently installed emergency power system shall be wired to permit connection of a mobile emergency power unit, and there shall be a mobile emergency power unit available for connection on short notice with minimum travel time.
- B. Each central office shall be equipped with a battery reserve sufficient to sustain operation until emergency power can be connected.

#### **Rule 11.07. Transmission Standards**

##### **A. General Information**

- (1) Both the objectives and the limits for transmission values are presented in these Rules. However, values which are between an objective and the respective maximum or minimum limit are not violations, though surveillance and possibly corrections are indicated.
- (2) These Rules do not address transmission quality standards of all circuit parameters; for example, return loss, crosstalk, impulse noise, etc. However, BOC Notes on the

LEC Network - 1990 Special Report SR-TSV-002275, Issue 1, March 1991, published by Bellcore, is adopted as the minimum transmission standard for circuits which originate and terminate in Arkansas.

- (3) The following transmission loss and noise value requirements do not include the attenuation from devices such as impedance matching transformers or 2dB test pads.

**B. Quality of Service Requirements**

- (1) Values above the maximum or below the minimum limits in Subsections C., D., and E. of this Rule require immediate attention and correction.
- (2) For purposes of evaluating the quality of service, each type of circuit shall be evaluated separately and at least 95% must comply with the respective maximum or minimum limits.

**C. Subscriber Loop Standards**

- (1) Loop current (terminated in a 200 ohms resistance or an equivalent test instrument):
  - a. objective 23.0 milliamperes
  - b. minimum 20.0 milliamperes
- (2) Transmission loss at 1004 Hertz, excluding central office loss:
  - a. objective 8.0 decibels
  - b. maximum 10.5 decibels
- (3) Metallic (message circuit) noise:
  - a. objective 20.0 dBrnC \*
  - b. maximum 30.0 dBrnC

**D. Inter-office or Extended Area Service (EAS) Trunk Standards**

- (1) Transmission loss at 1004 Hertz:
  - a. objective 4.0 decibels
  - b. maximum/minimum +/- 4.0 decibels

(2) Message circuit noise for electronically derived (carrier) circuits:

a. objective 21.0 dBrnC

b. maximum 28.0 dBrnC

(3) Message circuit noise for metallic (copper) circuits:

a. objective 25.0 dBrnC

b. maximum 36.0 dBrnC

**E. Toll Connecting Trunk Standards**

(1) Transmission loss at 1004 Hertz:

a. objective 3.0 decibels

b. maximum/minimum +/- 3.0 decibels

(2) Message circuit noise:

a. objective 23.0 dBrnC

b. maximum 32.0 dBrnC

\* dBrnC = decibels above reference noise with C-message weighting.

### **III. INTEREXCHANGE SERVICE**

#### **SECTION 12. PROVISION OF SERVICE, CERTIFICATION AND BILLING**

##### **Rule 12.01. Provision of Service**

To ensure the continued provision of interexchange telecommunication services in a manner consistent with the public interest, it is the Commission's policy that every local exchange area have access to interexchange telecommunications service, except that a TP must be allowed to discontinue service, without Commission approval, to a local exchange area if comparable service is available in the area and the discontinuance is not contrary to the public interest. This section does not authorize the Commission to require a TP that has not provided services to a local exchange area during the previous 12 months and that has never provided services to that same local exchange area for a cumulative period of one year at any time in the past to initiate services to that local exchange area.

##### **Rule 12.02. Certification**

No TP shall offer intrastate long distance or toll service within Arkansas without first obtaining a certificate of public convenience and necessity (CCN) from the Commission. All applications shall be made in accordance with the Commission's Rules of Practice and Procedure.

##### **Rule 12.03. Records**

All TP's records required by these Rules, or necessary for the administration thereof, shall be maintained in a manner so as to be readily available to the Commission or its authorized representative upon request.

##### **Rule 12.04. Required Billing Information**

TP bills shall be rendered not later than ninety (90) days after service is provided. Such bills shall contain the following information:

- (1) Name and telephone number or identifying number under which service is billed.

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- (2) Any previous balance due.
- (3) The ending date of the bill cycle or the invoice date.
- (4) Either the due date of the bill or the total payable upon receipt and, if applicable, the date on which a late payment charge will be imposed.
- (5) Itemization of the charges including any applicable taxes.
- (6) Name and a toll free telephone number of the TP for billing inquiries.

**Rule 12.05. Over- and Underbilling**

Where a TP has overbilled a customer, the TP shall make a refund or billing credit in a subsequent billing cycle following discovery and computation of the overbilled amount. When a TP bills a customer an amount correcting a previous underbilling, and it results in an undue hardship on a customer, the customer may call and make special payment arrangements, unless the underbilling was caused by unauthorized or fraudulent use or procurement of service.

**Rule 12.06. Wrong Number Credit**

When a customer reaches a wrong number on an intrastate toll call and promptly notifies the appropriate TP representative, the TP shall credit the customer's account for that call.

**Rule 12.07. Prepaid Services**

Prepaid services shall be permitted. Amounts received for prepaid services shall not be treated as deposits.

**Rule 12.08. Deposits**

TPs may require deposits from customers and shall pay interest thereon at the rate prescribed by the Commission.

#### IV. OPERATOR SERVICE

##### SECTION 13. OPERATOR SERVICES

###### Rule 13.01. Operator Services - Aggregator Location

###### A. Posting Requirements

(1) Each Operator Services Provider (OSP) shall:

- a. Ensure, by contract or tariff, that each aggregator, for which such provider is the pre-subscribed provider of operator services, posts on or near the telephone instrument, in plain view of consumers:
  - (i) the name, address and toll-free number of the provider of operator services;
  - (ii) a written disclosure that the rates for all operator-assisted calls are available on request, and that consumers have a right to obtain access to the intrastate common carrier of their choice and may contact their preferred intrastate common carrier for information on accessing that carrier's service using that telephone; and,
  - (iii) the name and address of the Consumer Services Office of the Arkansas Public Service Commission, to which the consumer may direct complaints regarding operator services.
- b. Ensure, by contract or tariff, that aggregators will not block "800 type" or "950" access code numbers. "10XXX O+ and O-" access code numbers shall be unblocked for intrastate calls at locations where the serving LEC can provide originating line screening.
- c. Withhold payment, on a location-by-location basis, of any compensation, including commissions, to aggregators, if such provider reasonably believes that the aggregator is failing to meet the posting requirements or is blocking access, in violation of paragraph A. (1)a. or A. (1)b. of this rule.

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## **B. Disclosure and Billing Practices**

- (1) An OSP shall "brand" calls to more fully ensure that customers have freely chosen to use that company's services. The first brand must occur at the beginning of the call prior to the entering of a billing number by the customer. For automated systems, the first brand shall occur prior to or immediately after the "bong tone", which signals callers to begin entering a dialing number. OSPs using automated equipment that routes calls to other service providers based on the billing information provided by the consumer may brand immediately after the input of such billing information so that the consumer hears only the brand of the OSP who is actually handling the call. Parties shall not brand in the name of another party if rates are merely modeled on or copied from that party's rates and that party has not consented to the use of its name in the brand. The second brand shall occur before connecting the call and before a charge is incurred by the end user.
- (2) An OSP shall allow consumers to terminate calls without incurring a charge before a connection is completed.
- (3) An OSP shall disclose upon request and at no cost to the consumer, information regarding its rates and charges. Any rates quoted by an OSP must be exact rather than approximate, based on the pricing of the specific call.
- (4) An OSP shall not bill for unanswered calls in areas where answer supervision is available, and shall not knowingly bill for such calls where answer supervision is not available. This rule shall not apply to providers of automated message delivery services (AMDS), provided that the AMDS provider does not bill for the initial call if it is unanswered or uncompleted.
- (5) An OSP shall not "splash" a call except when a consumer specifically requests that the call be completed, is informed that the bill for the call might reflect a different originating location, and consents to having the call splashed.
- (6) OSPs, including automated services, must connect emergency calls to the appropriate emergency service serving a caller's location at no charge to the caller. Emergency calls shall be connected to the appropriate emergency service provider for the reported site of the emergency when the originating call location is different from the site of the emergency.

- (7) An OSP shall provide consumers using its services access to a live operator at the outset of the call and prior to the consumer incurring a charge.
- (8) An OSP shall disclose, without a charge and upon request, the methods by which complaints concerning such rates, charges, or collection practices will be resolved.
- (9) An OSP shall not impose any charges over and above the rates on file with the Commission. An OSP shall not bill or include as part of its operator service charges, any surcharge imposed by the call aggregator for or in connection with telephone service provided by the OSP.
- (10) The OSP shall render bills not later than ninety (90) days after service is provided.
- (11) OSPs shall report intrastate usage to the Administrator of the Arkansas Carrier Common Line Pool for appropriate recovery of non-traffic sensitive costs associated with the local loop.
- (12) If an OSP satisfies Rules 13.01.A.(1)a. and b. by contract, the OSP shall file sample location contracts with the Commission and the sample location contracts shall be maintained with the OSP's tariffs in the Office of the Secretary of the Commission.

**C. Exemptions**

Correction and inmate facilities are exempt from all OSP rules except Rule 13.01.B.(11).

**Rule 13.02. Operator Services - Answering Time**

**A. Operator Assistance**

- (1) The operator answer time for operator-assisted calls should be 10 seconds or less.
- (2) For purposes of evaluating the quality of service, the average operator answer time for 100% of the calls shall be 10 seconds or less.



**B. Operator Information or Intercept Service**

- (1) The operator answer time for calls directed to an information operator or intercept service should be 15 seconds or less.
- (2) For purposes of evaluating the quality of service, the average operator answer time for 100% of the calls shall be 15 seconds or less.